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November 9, 2004

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COURIER

Kim Stevenson, Esquire
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 5565

Swift Vets and POWs for Truth
Admiral Roy Hoffman
John O'Neill
Weymouth Symmes
Alvin A. Horne

Dear Ms. Stevenson:

This letter responds to the Complaint filed against our clients, Swift Vets and POWs for Truth ("SVPT") and the other respondents listed above, in MUR 5565. SVPT and the other respondents deny each allegation made against them in the complaint.

SVPT is an independent, unincorporated organization exempt from federal income tax under section 527 of the Internal Revenue Code. SVPT is not an incorporated entity. SVPT has complied with the source prohibitions and reporting obligations applicable to electioneering communications. The organization has established two separate bank accounts – one for donations from individuals and another separate bank account for donations from corporations and other business entities. The production and placement costs for each communication that may qualify as an electioneering communication have been paid for with permissible funds from the account containing donations from individuals. SVPT has filed a Form 9 for each electioneering communication paid for by the organization.

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SVPT is in the process of reviewing its Form 9s to make sure that it did not inadvertently indicate on Line 6 that it is a qualified nonprofit corporation. The organization will file any necessary amendments to ensure that its Form 9s accurately reflect that SVPT is an unincorporated section 527 organization.

For the reasons set forth above, the Commission must dismiss the Complaint and take no further action.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Benjamin L. Ginsberg', written over the typed name.

Benjamin L. Ginsberg

William J. McGinley

Glenn M. Willard

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